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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/748,448	12/30/2003	Jeff Ondrla	1671-0285

CONFIRMATION NO. 2398

FORMALITIES LETTER



OC000000012493452

28078

MAGINOT, ADDISON & BOWMAN
 BANK ONE CENTER/TOWER
 1111 MONUMENT CIRCLE
 SUITE 3000
 INDIANAPOLIS, IN 46204

Date Mailed: 05/03/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

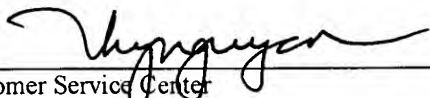
SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

07/27/2004 RHEBRIGHT 00000029 10748448
 770.00 OP
 130.00 OP
 01 FC:1001
 02 FC:1051

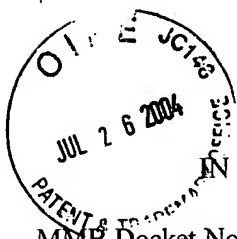
A copy of this notice MUST be returned with the reply.

A handwritten signature in black ink, appearing to read "Thynguyen", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MMB Docket No. 1671-0285

J & J Reference No. DEP 5213

Application of: Ondrla et al.

Group Art Unit: 3731

Serial No. 10/748,448

Examiner: To be assigned

Filed: December 30, 2003

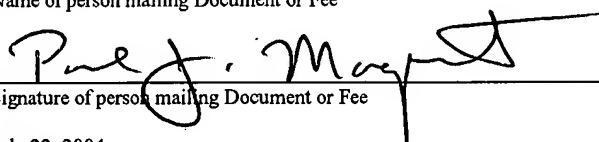
For: Joint Prosthesis with Infinitely Positionable Head

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 22, 2004

(Date of Deposit)

Paul J. Maginot

Name of person mailing Document or Fee



Signature of person mailing Document or Fee

July 22, 2004

Date of Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated May 3, 2004, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

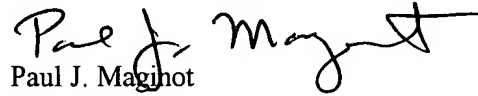
1. Copy of the Notice to File Missing Parts of Application;
2. Five (5) executed Declaration and Power of Attorney documents;
3. Petition for One Month Extension of Time;
4. Return Postcard; and
5. Check for \$1,010.00 to cover the surcharge for late filing of Declaration (37 C.F.R. § 1.16)(\$130.00), the statutory basic filing fee (\$770.00) and the Petition for one month extension of time (\$110.00).

Commissioner for Patents
July 22, 2004
Page 2 of 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency or credit any overpayment, to our Deposit Account No. 13-0014. If further extensions of time under 37 C.F.R. § 1.136 are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned for, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 13-0014.

Respectfully submitted,

MAGINOT, MOORE & BECK LLP



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July 22, 2004
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